

FORM PTO-1390
(REV. 11-98)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY DOCKET NUMBER

252003-1040

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)

09/445480

INTERNATIONAL APPLICATION NO.

PCT/NL98/00352

INTERNATIONAL FILING DATE

18 June 1998 18/06/98

PRIORITY DATE CLAIMED

18 June 1997 18/06/97

TITLE OF INVENTION

A METHOD FOR PLANT PROTECTION AGAINST INSECTS OR NEMATODES

APPLICANT(S) FOR DO/EO/US

JONGSMA, Maarten; STRUKELJ, Borut; LENARCIC, Brigita; GRUDEN, Kristina;

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
 2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
 3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
 4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
 5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☒ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
 6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
 7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
 8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
 9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
 10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).
- Items 11. to 16. below concern document(s) or information included:
11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
 12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
 13. ☐ A FIRST preliminary amendment.
 14. ☐ A SECOND or SUBSEQUENT preliminary amendment.
 15. ☐ A substitute specification.
 16. ☒ Other items or information:

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service, postage prepaid, in an envelope addressed to: Assistant Commissioner for Patents, Box PCT DO/EO/US, Washington D.C. 20231 on December 6, 1999

Signature

* Applicants continued: TURK, Vito; BOSCH, Hendrik J.;
STIEKEMA, Willem, Johannes

- * A copy of the International Search Report
- * A copy of the International Preliminary Examination Report
- * Certificate of mailing by Express Mail

U.S. APPLICATION NO. 09/445480		INTERNATIONAL APPLICATION NO. P/NL98/00352		ATTORNEY'S DOCKET NUMBER 252003-1040	
<p>17. <input type="checkbox"/> The following fees are submitted:</p> <p>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :</p> <p>Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$970.00</p> <p>International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$840.00</p> <p>International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$760.00</p> <p>International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$670.00</p> <p>International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) \$96.00</p> <p style="text-align: right;">ENTER APPROPRIATE BASIC FEE AMOUNT =</p>				<p>CALCULATIONS PTO USE ONLY</p>	
<p>Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).</p>				<p>\$ 840.00</p> <p>\$ 130.00</p>	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	- 20 =		X \$18.00	\$ 450.00	
Independent claims	- 3 =		X \$78.00	\$ 78.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$260.00	\$ 260.00	
TOTAL OF ABOVE CALCULATIONS =				\$ 1,758.00	
<p>Reduction of 1/2 for filing by small entity, if applicable. A Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28).</p>				<p>\$</p>	
SUBTOTAL =				\$	
<p>Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).</p>				<p>\$</p>	
TOTAL NATIONAL FEE =				\$ 1,758.00	
<p>Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property</p>				<p>\$</p>	
TOTAL FEES ENCLOSED =				\$ 1,758.00	
				Amount to be:	\$
				refunded	
				charged	\$

a. ☐ A check in the amount of \$_____ to cover the above fees is enclosed.

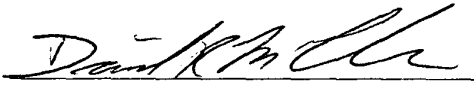
b. ☐ Please charge my Deposit Account No. _____ in the amount of \$_____ to cover the above fees.
A duplicate copy of this sheet is enclosed.

c. ☐ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any
overpayment to Deposit Account No. _____. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Daniel R. McClure
Thomas, Kayden, Horstemeyer & Risley LLP
100 Galleria Parkway, Suite 1500
Atlanta, Georgia 30339
United States of America



SIGNATURE:

Daniel R. McClure

NAME

38,962

REGISTRATION NUMBER

002020 "0345480"